

MINUTES
UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY
UTAH WATER QUALITY BOARD
Cannon Health Building Room 101
288 North 1460 West
Salt Lake City, Utah 84116
October 15, 2004
9:30 a.m.

UTAH WATER QUALITY BOARD MEMBERS PRESENT

Paula Doughty	Ray Child
Dianne Nielson	Jay Olsen
Mayor Douglas Thompson	Ann Wechsler
Dave Echols	Ron Sims
Mayor Joe Piccolo	

DIVISION OF WATER QUALITY STAFF MEMBERS PRESENT

Walt Baker, Randy Taylor, Faye Bell, Candace Cady, Rand Fisher, Bill Moellmer, Jeff Studenka, Dan Griffin, Mike Herkimer, Mike Hansen, Mike Reichert, Theron Miller, Tim Beavers

OTHERS PRESENT

<u>Name</u>	<u>Organization Representing</u>
Fred Nelson	Attorney Generals Office
Ray Loveless	UACD
Roy Gunnell	UDAF
Florence Reynolds	SL City Public Utilities
Jim Olson	Brown & Caldwell
Jack Wilbur	UDAF
Lee Broadbent	Natural Resources Conservation Service

Chairman Child called the Board meeting to order at 9:40 a.m. He welcomed those in attendance. Mr. Child invited the members of the audience to introduce themselves. Dan Griffin and Jeff Studenka were introduced to the Board as new staff to the Division of Water Quality.

Introduction of Paula Doughty: Mr. Child introduced Paula Doughty, who was recently appointed to fill the vacancy left by Bill Williams as a representative for the Minerals Industry. She presently works for Kennecott Utah Corp. where she's the director of environmental affairs.

APPROVAL OF MINUTES OF THE AUGUST 20, 2004 MEETING

Motion: **It was moved by Mr. Sims and seconded by Mr. Echols to approve the minutes of the August 20, 2004 Board meeting. The motion was unanimously approved the minutes with no changes.**

RULEMAKING

Rulemaking: Candace Cady referred the Board to Tab 2 of the packet. Staff is requesting the Board authorization to adopt the changes to rule *R317-7 Utah Underground Injection Control (UIC) Administrative Rules*. The rule changes would incorporate the Professional Geologist Licensing Act Requirements and Additional Updates and Changes. The proposed rule changes received no comments from the public or other interested parties.

Motion: **It was moved by Mr. Piccolo and seconded by Mr. Sims to authorize staff to proceed with rulemaking for changes to rule R317-7. The motion was unanimously approved.**

Rulemaking: Walt Baker referred the Board to the handouts, which include a memo and a letter from Craig Call from the Office of Private Property Ombudsman. Ms. McPhie owns property in Wasatch County and wishes to construct an onsite wastewater system on her property. State Administrative Rule R417-4, for Onsite Wastewater Systems that govern approval of onsite wastewater systems require, among other things, that the system be installed on property with slopes less than 25% and not within 25 feet of a dry wash, gulch or gully. Ms. McPhie's property does not meet these two tests and her request for approval was denied by the Wasatch County Health Department. Mr. Nelson from the Attorney Generals Office explained that the statute allows Ms. McPhie to request a change to the rule. The Board would need to respond within 30 days to notify Ms. McPhie of what action the Board will be taking. Mr. Echols recommends the Board direct staff to evaluate Ms. McPhie's request and make recommendations to the Board at a future meeting.

Motion: **It was moved by Mayor Thompson and seconded by Mayor Piccolo to authorize staff to evaluate rule R317-4 and notify Ms. McPhie that her request was being evaluated by the staff and she would be contacted at a future date with its recommendation. The motion was unanimously approved.**

OTHER BUSINESS

Appointment of Randy Taylor as an Acting Executive Secretary to the WQ Board: Walt Baker referred the Board to the memo on Tab 3. Mr. Baker explained that the Executive Secretary to the Water Quality Board transacts business on behalf of the Board. Circumstances arise where the Executive Secretary may be unavailable to sign permits and approvals. Mr. Baker is recommending the Board approve Randy Taylor as an Acting Executive Secretary to the Water Quality Board so that when he is unavailable we are still able to transact the business of the Board.

Motion: **It was moved by Mr. Echols and seconded by Mr. Sims to appoint Randy Taylor as Acting Executive Secretary to the Water Quality Board. The motion was unanimously approved.**

Presentation on the Utah Nonpoint Sources Pollution Management Program: Mr. Reichert introduced Roy Gunnell, Ray Loveless, Lee Broadbent and Theron Miller who work with the Nonpoint Sources Pollution Management Program. They gave presentations to the Board covering the topics of: a) Overview and new addendums, b) AFO/CAFO Strategy Implementation Progress and c) Chalk Creek Watershed Project.

NEXT MEETING

The next Water Quality Board meeting will be held on November 19, 2004 at the Cannon Health Building in Room 125 at 9:30 a.m.

Ray Child, Chairman

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